IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

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WP.Nos.1466, 5344, 5527 & 5788 OF 2003

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W.P.No.1466 of 2003:

Between:

P.Prabhakar Rao **...Petitioner.**

AND

1. The Registrar (Administration),

Andhra Pradesh High Court,

Hyderabad, and another. **...Respondents.**

W.P.No.5344 of 2003:

Between:

A.Lazer **...Petitioner.**

AND

1. The Registrar (Administration),

Andhra Pradesh High Court,

Hyderabad, and another. **…Respondents.**

W.P.No.5527 of 2003:

Between:

D.Buchaiah **…Petitioner.**

AND

1. The Registrar (Administration),

Andhra Pradesh High Court,

Hyderabad, and another. **…Respondents.**

W.P.No.5788 of 2003:

Between:

M.Buchilingam **…Petitioner.**

AND

1. The Registrar (Administration),

Andhra Pradesh High Court,

Hyderabad, and another. **…Respondents.**

ORDER: (Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)

All the four writ petitions are being disposed of together by the common order because there arise similar questions of fact and law.

The charge against all the petitioners was that they obtained a fake Gazette

to show that they had passed a departmental examination *viz*., Accounts Test for Subordinate Officers Part-I, and on the basis of that Gazette notification, all the four petitioners got promoted. Enquiry was ordered and charge sheets were issued. None of the petitioners, in reply to the charge sheet, contended that they passed the examination. They almost gave identical replies stating therein that they believed that the Gazette was genuine. They did not even disclose during enquiry as to where from they had obtained a copy of the Gazette, which had shown that they had passed the examination. During the enquiry, Sri S.Eswaraiah, Assistant Director of Government Printing Press, Hyderabad, was examined as P.W.2. He stated that Government Printing Press, Hyderabad is the only press, which is supposed to print and publish the Gazettes. When the Gazette on which the petitioners relied for their result was shown to him, he categorically stated that it was not printed or published by the Government Printing Press. He also stated that their office had received a letter from Additional Secretary, Andhra Pradesh Public Service Commission, Nampally, with regard to the same Gazette being Gazette No.9 B, dated 1-3-1990, and in that communication, A.P. Public Service Commission had made enquiries with regard to publication of this Gazette, and their Commissioner after verifying the office records had informed the A.P.Public Service Commission that said Gazette had not been published from the Government Printing Press. It may be worthwhile to note that the examination of which the result was declared by this Gazette was conducted by A.P.Public Service Commission. The Gazette could have not been published unless it was sent to the Government Printing Press by the A.P.Public Service Commission. During the course of enquiry, the petitioners were also given a chance to prove by any other evidence that they had actually passed the examination. But, as a matter of fact, in their written statement they did not even claim that they had passed the examination. They could not explain where from this Gazette was obtained. This Gazette was produced by them before the concerned authorities, entries were made in their Service Registers, and they were promoted.

During the hearing in this Court, we had asked the learned Counsel for the petitioners to produce evidence even at this stage that the petitioners had passed the examination. But he failed to do so. In this view of the matter, we do not think any interference is called for in the orders of removal passed by the Competent authority. The learned Counsel for the petitioners submits that the petitioners had put in long

service, therefore, the punishment awarded to them was not proportionate. We do not agree with such submission on the ground that the petitioners work in Judicial Department, where the employees are required to have high standards of integrity, and when they could obtain a false and fake Gazette to obtain promotion in their favour, they can do some other mischief also.

Hence, the Writ Petitions are dismissed. No costs.

(Bilal Nazki, A.C.J)

15th September, 2005

(R.Subhash Reddy, J)

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